

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims replaces all prior versions, and listings, of claims in the application. Re-examination and reconsideration in light of the proposed amendments and the following remarks are respectfully requested.

Rejections under 35 USC § 112

The rejection of claims 1, 4, 6, 8-13 and 17-18 under 35 USC § 112 second paragraph is respectfully traversed. In this response, claim 1 has been amended to remove the “and/or” recitation. Claim 17 has been amended to improve the clarity with which the recited structure is set forth, and claim 13 is cancelled thus mooted the issue raised in connection therewith.

Rejections under 35 § USC 102

- 1) The rejection of claims 1, 4, 6, 10-13 under 35 USC § 102(b) as being anticipated by Tiemann is respectfully traversed.

Claim 1 calls for the secondary slots to have a length which is different from the length of the main longitudinal slots. Support for this amendment is found in Fig. 3 and associated disclosure.

There is nothing to suggest that any of the slots 58-61 are not the same length. In fact they are all shown as being equal in length. Further, there is no way of knowing from the disclosure of this reference, which of the slots could be considered primary and which could be considered secondary.

It is improper for the sake of rejection to take two of what must (without disclosure to the contrary) be considered as being identical slots and for the sake of rejection, be arbitrarily assumed, given the guidance of the claims, to be primary/secondary respectively.

A four legged table with four identical legs – which are the primary legs and which the secondary legs? How can four identical elements be classified in the manner that we see in this rejection?

Rejections frequently cite the need to take the “broadest reasonable interpretation” of what is claimed. This does not apply to references and concocting a situation which meets the claims for the sake of rejection. The reference must disclose the claimed subject matter, not be subject to an unreasonable interpretation to meet the needs of rejection.

In the Office Action the “MLS” are identified as slots 58 and 62 and the “SLS” are identified as slots 59 and 60. Why not 58, 59 as the MLS and 60, 61 as the SLS; alternatively why not 58, 59 and 60 as the MLS and the remaining slot as a SLS? There is no justification for this designation. Indeed, there is neither rational justification for the above, nor the position taken in this rejection. The slots are for all intents and purposes – the same.

- 2) The rejection of claims 14 and 15 under 35 USC § 102(b) as being anticipated by either of Kubogochi et al. of Fischer, is respectfully traversed.

In this response claim 14 has been amended to call for an angularly-shaped longitudinal rib to be each of the main longitudinal anchoring tongues and on each of the secondary longitudinal anchoring tongues. Support for this amendment is found in at least Fig. 3 – see elements 12. At best Tiemann was relied upon to show a flat rib (see top right hand corner of page 5 of this Office Action) and then on only two tongues. It is submitted that neither Kubogochi et al. of Fischer disclose or suggest such a structure.

Conclusion

The claims which stand before the Patent Office are allowable over the art for at least the reasons advanced above. Favorable reconsideration and allowance of this application is therefore courteously solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
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